



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET, FFL

Introduction

This hearing was convened in response to an application by the Landlord pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An early end to the tenancy and an order of possession - Section 56; and
2. An Order to recover the filing fee for this application - Section 72.

Both Parties attended the conference call hearing. At the onset, both Parties indicated their desire to reach an agreement to resolve the dispute and during the Hearing did reach a settlement agreement. The Parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the Parties understood the nature of this full and final settlement of this matter.

Agreed Facts

The tenancy under written agreement started on July 1, 2019. Rent is payable on the first day of each month. At the outset of the tenancy, the Landlord collected a security deposit of \$3,000.00 from the Tenant. A third party has been living in the unit since the summer of 2020 and has not been paying any rent to the Tenant. The Tenant is not staying at the unit however the Tenant’s belongings and furniture are still at the unit and the Tenant has not given any formal notice to end the tenancy.

Settlement Agreement

The Parties mutually agree as follows:

- 1. The tenancy will end at 1:00 p.m. on November 18, 2020 and the Tenant will move out of the unit no later than this date and time;**
- 2. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.**

Section 63 of the Act provides that if the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order. Given the mutual agreement reached during the Hearing, I find that the Parties have settled their dispute as recorded above. In order to give effect to this agreement I grant the Landlord an order of possession effective 1:00 p.m. November 18, 2020.

Conclusion

The Parties have settled the dispute.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Act.

Dated: November 13, 2020

Residential Tenancy Branch